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ABSTRACT

The Regents Competency Testing Program has been designed to assure that all students develop adequate skills in reading comprehension, writing, and mathematics before graduation from high school in New York. This bulletin provides information on two of the program's three basic elements that contribute to the accomplishment of this goal. First, the Board of Regents has established minimum standards of achievement in reading comprehension, writing, and mathematics that must be met in order to receive a local high school diploma. Information is provided on how students may demonstrate their competence in these fundamental skills by passing designated competency tests or Regents examinations or, under certain handicapping conditions, through alternative testing techniques. Sample test items are provided from the Regents Competency Tests. Second, the program emphasizes the early identification of students who need special help in developing their skills. Screening tests in reading comprehension and mathematics administered at the beginning of grades 3 and 6 are described, as are preliminary competency tests in reading and writing administered in grades 8 or 9. An appendix includes extracts from the Regulations of the Commissioner of Education. (RL)

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ED198165

The Regents Competency Testing Program

U S DEPARTMENT OF HEALTH, EDUCATION & WELFARE
NATIONAL INSTITUTE OF EDUCATION

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The University of the State of New York
The State Education Department
Albany, New York 12234
September 1980

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OVERVIEW

The Regents Competency Testing Program has been designed to assure that all students develop adequate skills in reading comprehension, writing, and mathematics before graduation from high school. The program has three basic elements that contribute to the accomplishment of this goal.

First, the Board of Regents has established minimum standards of achievement in reading comprehension, writing, and mathematics that must be met in order to receive a local high school diploma. Students may demonstrate their competence in these fundamental skills by passing designated competency tests or Regents examinations or, under certain conditions, through alternative testing techniques.

Second, the program emphasizes the early identification of students who need special help in developing their skills. Screening tests in reading comprehension and mathematics are administered at the beginning of grades 3 and 6. Preliminary competency tests in reading and writing are administered in grade 8 or grade 9. Schools are encouraged to do additional screening where instruments are not provided by the State Education Department.

Third, the Commissioner's Regulations require schools to provide appropriate remedial programs for students who score below specified reference points on the screening tests or who fail a final competency test. The Regulations also require schools to keep parents informed with respect to test results and remedial instruction.

In the sections that follow, information is provided on the first two elements of the Regents Competency Testing Program—diploma standards and screening tests. Recommendations for remedial programs may be obtained through the Assistant Commissioner for General Education and Curricular Services.

CONTENTS

	Page
Overview	i
High School Credentials in New York State	1
Local High School Diploma	1
Regents High School Diploma	1
Local Certificate	1
Adult Credentials	1
Demonstrating Competency in the Basic Skills	2
Reading and Writing	2
Mathematics	2
The Regents Competency Tests and High School Diploma Standards	3
Regents Competency Test in Reading	3
Regents Competency Test in Writing	6
Regents Competency Test in Mathematics	9
Testing Students Whose Native Language Is Other Than English	11
Modifications in Testing Procedures for Students With Handicapping Conditions	15
Guidelines for Local Certificates	17
Identification of Students Needing Special Help	18
Appendix	20
Extracts from the Regulations of the Commissioner of Education	21

HIGH SCHOOL CREDENTIALS IN NEW YORK STATE

There are three types of credentials authorized to be awarded to high school students in New York State and two types of diplomas that may be earned by adults. Each of these credentials is described below.

Local High School Diploma

In order to receive a local high school diploma, a student must complete an approved four-year course of study in a registered secondary school and must demonstrate competency in the basic skills. An approved course of study is defined in Part 100 of the Regulations of the Commissioner of Education. (See page 21.) The student must earn a minimum of 16 units of credit.

Regents High School Diploma

In addition to a local high school diploma, qualified students may be awarded a Regents high school diploma. In many school districts, this honor is presented in the form of an endorsement on the local diploma rather than as a separate credential.

A Regents diploma or endorsement signifies that the student has earned at least 18 units of credit and has passed certain Regents examinations. The required examinations are in English, in social studies, and in the student's major sequence, e.g., mathematics, science, foreign languages.

Local Certificate

A certificate may be awarded to handicapped students who meet the special eligibility requirements established for this credential. Further information on the local certificate may be found on page 17.

Adult Credentials

Eligible adults may earn a New York State High School Equivalency Diploma by obtaining satisfactory scores on the Tests of General Educational Development. These tests are given at regular intervals in 75 centers throughout the State.

In addition, a limited number of school districts have been authorized to award their local diplomas to adults who demonstrate required competencies through the External High School Diploma Program.

DEMONSTRATING COMPETENCY IN THE BASIC SKILLS

Reading and Writing

There are several methods of demonstrating competency in reading and writing. One is by passing the Regents comprehensive examination in English. Another is by passing the Regents competency tests in both reading and writing. In either case, the examinations are taken in grades 11 or 12.

Students whose native language is other than English may use a third method of demonstrating competency if they entered a school where English is the predominant language of instruction after they completed the eighth grade. These students must demonstrate (1) reading and writing proficiency in their native language and (2) reasonable progress toward mastery of the English language. Further information may be found on page 11.

A fourth method involves the use of scores earned on the College Board's Scholastic Aptitude Test (SAT) or the American College Testing Program (ACT) tests. Scores of 310 or higher on the SAT verbal subtest are acceptable as evidence of competency in reading and writing. Information on comparable ACT scores may be obtained from the Bureau of Elementary and Secondary Testing Programs.

Mathematics

Students may demonstrate competency in mathematics by passing any Regents examination in mathematics, including business mathematics, or by passing the Regents competency test in mathematics. These examinations may be taken at any point in grades 9–12. Students take the Regents competency test in mathematics after completing the course entitled "General High School Mathematics." The Regents competency test in mathematics is provided in English and in several other languages.

Scores of 350 or higher on the SAT mathematical subtest or 12 or higher on the ACT mathematical usage test are acceptable as evidence of competency in mathematics.

THE REGENTS COMPETENCY TESTS AND HIGH SCHOOL DIPLOMA STANDARDS

Regents Competency Test in Reading

The Regents Competency Test in Reading is designed to measure the student's ability to understand written materials of varying levels of difficulty. The test uses the Degrees of Reading Power methodology. It consists of a series of nonfiction prose passages on a variety of topics. Each passage contains about 300 words. The passages are presented in order of difficulty, beginning with easy material and progressing to difficult material. Seven words are omitted in each passage, and the student selects the most appropriate word from the five alternatives provided for each deleted word.

The test items are designed so that the text of the passages must be read and understood in order for the student to respond correctly. All of the response options "fit" the blank space; each one makes a grammatically correct and logically plausible sentence if the sentence is considered in isolation. However, only one response "fits" or is plausible when the surrounding context of the passage is considered. Thus, the selection of the correct response depends on understanding the prose in the surrounding text. The student should be able to respond correctly to all or nearly all items in the test to the point where he or she cannot understand a passage sufficiently well to decide which word is the correct choice.

The deleted words and the other response options are words in common use and are of uniform difficulty throughout the test. Thus, the test items become more difficult only with respect to the difficulty of the text in the passages.

All of the information that is needed to select the correct response is provided in the text of the passages; there is no need to supply information from memory or past experience. Only the ability to process sentences for meaning is required for success on the test.

In the area of reading, the standard for high school graduation is expressed in terms of readability. On the Regents Competency Test in Reading, the standard represents a sixty-five percent likelihood of success on prose material typically found in textbooks used in tenth and eleventh grade.

SAMPLE READING PASSAGE

Before anesthetics were discovered, surgery was carried out under very severe time restrictions. Patients were awake, tossing and screaming in terrible pain. Surgeons were forced to hurry in order to constrain suffering and minimize shock. ___8___ was essential. Haste, however, did not make for good outcomes in surgery. No surprise, then, that the ___9___ were often poor.

The discovery of anesthetics happened, in part, by accident. During the early 1800's, nitrous oxide and ether were used for entertainment. At "ether frolics" in theaters, volunteers would breathe these gasses, become lightheaded, and run around the stage laughing and dancing. By chance, a Connecticut dentist saw such a ___10___. One volunteer banged his leg against a sharp edge. But he did not ___11___. He paid no attention to his wound, as though he felt nothing. This gave the dentist the idea of using gas to kill pain.

At first, using the "open drip method," ether and chloroform were filtered through a cotton pad placed over the mouth and nose.

8 a) Blood b) Silence
c) Speed d) Water
e) Money

9 a) quarters b) teeth
c) results d) materials
e) families

10 a) show b) machine
c) face d) source
e) growth

11 a) dream b) recover
c) succeed d) agree
e) notice

This direct dose was difficult to regulate and irritating to the nose and throat. Patients would hold their breath, cough, or gag. This made it impossible for them to relax, let alone sleep. Consequently, surgery was often __12__. It couldn't begin until the patient had quieted and the anesthesia had taken hold.

12 a) delayed b) required c) blamed d) observed e) repeated

Today's procedures are safer and more accurate. In the "closed method" a fixed amount of gas is released from sealed bottles into an inhalator bag when the patient exhales. He inhales this gas through tubes with his next breath. In this way the gas is __13__. The system carefully regulates how much gas reaches the patient.

13 a) heated b) controlled c) cleaned d) selected e) wasted

For dentistry and minor operations, patients need not be asleep. Newer anesthetics can be used which deaden nerves only in the affected part of the body. These __14__ anesthetics offer several advantages. For instance, since the anesthesia is fairly light and patients remain awake, they can cooperate with their doctors.

14 a) local b) natural c) ancient d) heavy e) three

10

Regents Competency Test in Writing

The Regents Competency Test in Writing is a direct measure of a student's ability to organize and present ideas in written form. The test consists of three different types of writing tasks: a business letter, a report, and a piece of persuasive discourse (composition). For each task the specific test questions are based on one of the topics appearing in the list of 25 topics that has been established for that task.

In the business letter, the student requests corrective action because of a problem such as failure to receive a product ordered by mail, defective processing of film, or unsatisfactory repair of an item. In the report, the student reorganizes a set of notes and writes a unified report for a specific audience. Subjects include a meeting on energy resources, an interview with a performer, and a visit to a local industry. In the composition, the student attempts to persuade a specific audience by stating and supporting a position. For example, the student may be asked to persuade a parent concerning the need for a particular privilege or persuade a local public official concerning the need for summer jobs.

In the scoring of the Regents Competency Test in Writing, each answer is rated on the basis of its total effect and overall quality. Raters are given exemplary model answers and decide what percent of the model a student's answer represents. Each of the three answers for each student is rated by a different person. Thus, the total score for a student on the Regents Competency Test in Writing is a composite of three raters' judgments.

A student must obtain an average score of 65% or more in order to pass the test and meet the diploma standard. Answer papers with an average score of 60 or above are forwarded to the State Education Department for confirmation of the pass/fail decision.

SAMPLE BUSINESS LETTER QUESTION AND MODEL ANSWER

Directions: Write a business letter concerning the problem described below. Read all the information before you start to write.

On December 13, you ordered a radio, Model R300, for $30.00 from the Perfect Sound Radio Company. You included a money order for $30.00. On January 15, you received a different radio, Model R200, which cost only $20.00.

Write a business letter concerning the problem to the company at this address: Perfect Sound Radio Company, 1218 Sunset Road, Detroit, MI 42638.

In your letter be sure to:

- Explain the problem
- Explain what you want the company to do
- Give complete and correct information
- Use an acceptable business letter form

BUSINESS LETTER—MODEL ANSWER

12 Main Street
Albany, NY 12222
January 23, 1980

Perfect Sound Radio Company
1218 Sunset Road
Detroit, MI 42638

Gentlemen:

On December 13th I ordered your radio, Model R 300, and enclosed a money order for $30.00.

On January 15th I received a different radio, Model R 200. This is not the model I ordered. I am returning the item. Please send the correct model, R 300.

Yours truly,
Mike Thomas

Regents Competency Test in Mathematics

The Regents Competency Test in Mathematics is designed to measure competence in the skills described in the syllabus, "General High School Mathematics." This is the recommended high school mathematics curriculum for students not enrolled in Regents mathematics courses. The test questions cover the core areas of: integers and rational numbers, including the fundamental operations of addition, subtraction, multiplication, and division of whole numbers, decimals, and fractions; graphing, including critical analysis and interpretation of graphs and charts; measurement of geometric figures; ratio, proportion, and percent; probability and statistics; and consumer and job-related mathematics.

To meet the high school diploma standard, a student must obtain a score of 65% on the Regents Competency Test in Mathematics. The test contains a total of sixty questions, divided into two parts. In Part A there are twenty completion questions for which the student is to provide the answer. In Part B there are forty multiple-choice questions for which the student is to select the correct answer from among the four choices given.

SAMPLE QUESTIONS

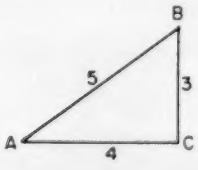
Add:
$$\begin{array}{r} 3,192 \\ 206 \\ +5,341 \\ \hline \end{array}$$

Divide: $8\overline{)40.96}$

What is the average (mean) of 76, 87, and 86?

Solve for x: $\frac{3}{4} = \frac{x}{16}$

What is the ratio of BC to AB in the triangle below?



14

The circle graph below shows the sources of income for a local school district. From which source is the *smallest* amount of money received?

(a) Federal aid
(b) State aid
(c) property taxes
(d) private grants

What is the best approximation of the measure of angle ABC?

(a) 30°
(b) 60°
(c) 90°
(d) 120°

The fraction $\frac{4}{5}$ is equal to

(a) 45%
(b) 54%
(c) 80%
(d) 125%

Add: $\frac{1}{4} + \frac{1}{2}$

(a) $\frac{1}{6}$
(b) $\frac{2}{6}$
(c) $\frac{3}{4}$
(d) $\frac{1}{8}$

A bus leaves its terminal at 10:30 a.m. and arrives at its destination at 1:15 p.m. on the same day. How long does the trip take?

(a) 3 hours 45 minutes
(b) 3 hours 30 minutes
(c) 3 hours 15 minutes
(d) 2 hours 45 minutes

Which is a prime number?

(a) 27
(b) 25
(c) 23
(d) 21

If 5 of the 20 liters in a car radiator are antifreeze, what percent of the mixture is antifreeze?

(a) 20%
(b) 25%
(c) 33%
(d) 75%

15

TESTING STUDENTS WHOSE NATIVE LANGUAGE IS OTHER THAN ENGLISH

The Regulations of the Commissioner of Education permit students whose native language is other than English, who first entered school where the predominant language is English after grade eight, to demonstrate basic language and mathematics skills through alternative procedures. In the areas of reading and writing, the students must (1) demonstrate reading comprehension and writing skills in their native language at a level comparable to the requirements of the competency tests in reading and in writing, and (2) demonstrate English language proficiency on examinations designed to measure English as a second language. In mathematics, the students must demonstrate mathematics skills in their native language at a level comparable to the requirements of the competency tests in mathematics.

Reading Comprehension and Writing Skills in the Native Language

To meet the minimum requirements for proficiency in their native language, non-English speaking students may demonstrate a level of competence comparable to that required to pass a three-year modern foreign language Regents examination. If the student's native language is French, German, Hebrew, Italian, or Spanish, the languages for which there are Regents examinations, the student may pass the appropriate Regents examination.

If the student's native language is other than one for which a Regents examination is offered, the principal may use other examinations to determine that the student has achieved a level of proficiency in the native language comparable to that required for passing a modern foreign language Regents examination. The principal is also authorized to accept other examination scores in French, German, Hebrew, Italian, and Spanish in lieu of Regents examination scores, since some students may not have had an opportunity to take the appropriate Regents examination.

English Language Skills

To meet the minimum requirement for proficiency in English, students may demonstrate satisfactory progress toward mastery of the skills measured in the competency tests in reading and the com-

petency tests in writing by results on a test of English as a second language.

The principal must certify that the student has attained an acceptable level of proficiency on a test or tests of English as a second language. The required level of English proficiency increases according to the number of years of English instruction the student has received. The student should demonstrate satisfactory progress toward the goal of reaching a level of proficiency in English comparable to that needed to pass the competency tests in reading and writing.

Examples of tests of English as a second language are provided on page 14. A brief description of the tests and the recommended minimum scores for one to four years of high school study in English are included.

Mathematics Skills

Students may demonstrate proficiency in mathematics in their native language at a level comparable to that required for passing the applicable competency tests in mathematics. Students whose native language is Spanish, Chinese, or French presently constitute approximately 95% of pupils who may need alternative testing procedures. Therefore, the State Education Department provides mathematics competency tests in French, Chinese, and Spanish.

If the student's native language is other than French, Chinese, or Spanish, the principal may use alternative examinations to determine that the student has achieved a level of proficiency in mathematics comparable to the competency tests in mathematics.

Further Information

Further information and technical assistance may be obtained by contacting the bilingual supervisors of the Bureau of Bilingual Education, at the regional offices listed below.

The New York State Education Department
Bureau of Bilingual Education
Albany, New York 12234
518: 474-8775

The New York State Education Department
Bureau of Bilingual Education
2 Pleasant Avenue, West
Lancaster, New York 14086
716: 681-0100

The New York State Education Department
Bureau of Bilingual Education
Valentine and the Plain Roads
Westbury, New York 11590
516: 997-8700 Ext. 370

The New York State Education Department
Bureau of Bilingual Education
Two World Trade Center—Suite 5040
New York, New York 10047
212: 488-7294

SAMPLES OF ESL TESTS

	Comprehensive English Language Test for Speakers of English as a Second Language (CELT)	Orientation in American English Proficiency Test (OAE)	Criterion Referenced English Syntax Test (CREST)
Purpose	Assess English language proficiency	Measure listening, speaking, reading and writing skills	English syntax
Administration	Group	Group	Group
Grade Level	High school and adult	9–12 and adult	4–12
Time	120 minutes	150 minutes	80 minutes
Description	Three multiple-choice tests: Listening, Structure, Vocabulary	Six levels evaluate student's progress in the OAE program	Three multiple-choice tests: beginning, intermediate, and advanced
Authors	Harris, David; Palmer, Leslie	Brinson, Thomas C.	
Copyright Date	1970	1974	
Publisher	McGraw Hill Book Company, International Division, 330 W. 42nd St., N.Y., N.Y. 10036	Institute of Modern Languages, Inc., 2622 Pittman Dr., Silver Spring, Maryland 20910	Board of Education of The City of New York, Office of High Schools
RECOMMENDED MINIMUM SCORES			
Years of ESL Instruction			
1	Combination of 3 sub-test scores for average total of 30%	Level 1 final: score of 65%	12 of 25 objectives on Beginning Level (50%)
2	Combination of 3 sub-test scores for average total of 35%	Level 3 final: score of 65%	20 of 25 objectives on Beginning Level (80%)
3	Combination of 3 sub-test scores for average total of 40%	Level 4 final: score of 65%	20 of 25 objectives on Intermediate Level (80%)
4	Combination of 3 sub-test scores for average total of 45%	Level 6 final: score of 65%	12 of 15 objectives on Advanced Level (80%)

MODIFICATIONS IN TESTING PROCEDURES FOR STUDENTS WITH HANDICAPPING CONDITIONS

In recognition of the special testing needs of some handicapped students, the Regulations of the Commissioner of Education provide for nondiscriminatory assessment procedures. School principals may authorize the use of modified testing procedures in the administration of the competency tests to students with handicapping conditions when, in the principal's judgment, such modifications are essential.

A secondary student is eligible for modifications only if he or she has been identified by the district's Committee on the Handicapped as having a handicapping condition. In addition, the need for use of such testing procedures must be reflected consistently in the student's individualized education program (IEP). For example, if a handicapped student needs a calculator to solve mathematical problems, such a need should be documented in the IEP with respect to mathematical objectives.

The chart on page 16 provides guidance on the modifications that may be authorized for students with various handicapping conditions. However, principals may authorize any modification noted in the table to any handicapped student where the modification is consistently reflected in the student's IEP.

With regard to the recording of answers to any of the competency tests, including the writing test, handicapped students may tape-record their responses if they are unable to write and their IEP indicates that the use of a tape recorder is necessary. This authorization, of course, does not preclude the use of other methods of recording responses, such as dictation to an amanuensis.

Students who are identified as handicapped solely on the basis of intellectual ability and who lack the intellectual ability needed to develop competency in reading, writing, and mathematics should not be tested under modified conditions. Students who possess general intellectual capacity that falls lower than 1.5 standard deviations below the mean of the general population may (1) earn a high school diploma if they complete all of the regular course requirements and pass the competency tests, or (2) be awarded a local certificate if they cannot pass the competency tests but complete an appropriate IEP.

MODIFICATIONS IN COMPETENCY TESTING PROCEDURES FOR CHILDREN WITH HANDICAPPING CONDITIONS

Modification in Testing Procedure	Handicapping Condition								
	MR	ED	SLD	OHI	SSLI	D	HH	OI	VI
Time Limit (if any) Extended or Waived		X	X	X	X	X	X	X	X
Examination Administered in Special Location		X	X	X	X	X	X	X	X
Questions Read to Student*			X		X	X		X	X
Answers Recorded in any Manner**			X	X		X		X	X
Student Permitted Use of Calculator or Abacus			X						X
Questions Omitted and Credit Prorated									X
Examination Copy Provided in Braille and Large Type									X

Notes

*Includes the use of sign language and cued speech. If possible, an audio or visual tape could be used in administering the reading test.

**Includes the use of a tape recorder or dictation to an amanuensis.

MR — Mentally Retarded
ED — Emotionally Disturbed
SLD — Specific Learning Disabled
OHI — Other Health Impaired
SSLI — Severely Speech/Language Impaired
D — Deaf
HH — Hard of Hearing
OI — Orthopedically Impaired
VI — Visually Impaired

GUIDELINES FOR LOCAL CERTIFICATES

A school district or the principal of a nonpublic school may award a certificate to a student who is identified as handicapped by the school district Committee on the Handicapped and who possesses general intellectual capacity that falls lower than 1.5 standard deviations below the mean of the general population. To receive a certificate, the student must complete an appropriate individualized education program (IEP).

Students identified as educable mentally retarded and trainable mentally retarded are eligible for a certificate. Students with other handicapping conditions who have been found by the school district Committee on the Handicapped to possess general intellectual capacity that falls lower than 1.5 standard deviations below the mean of the general population, but who have not been classified by the Committee on the Handicapped as educable or trainable mentally retarded, are eligible for a certificate.

No certificates other than the local certificate authorized under Section 103.5 of the Regulations may be awarded by a public school district, a Board of Cooperative Educational Services, or a nonpublic school. This prohibition does not apply to a certificate awarded to a student who has previously received a high school diploma.

IDENTIFICATION OF STUDENTS NEEDING SPECIAL HELP

One of the most important features of the Regents competency testing program is the early identification of students who need special help in developing their skills in reading, writing, and mathematics. This identification process begins in the primary grades and makes use of both formal and informal assessment techniques.

Among the formal techniques are a series of State tests. The Commissioner's Regulations require schools to provide remediation to students who obtain scores below established points on any of these tests. The tests in each skill area are described below.

Reading

Screening tests in reading comprehension are administered to all students at the beginning of grade 3 and at the beginning of grade 6. A screening test in reading comprehension is also administered to selected students in grade 8 or grade 9.

The third grade test—the New York State Test in Reading, Form C—is a standardized test designed to measure: (1) comprehension of explicitly stated material; (2) comprehension of implicit or latent meaning; and (3) word knowledge. Included are questions that measure the ability to draw inferences from what is read, to derive the meaning of words from context, to perceive the main idea, and to identify the antecedent of a pronoun.

The screening test used in the sixth grade is the Reading Test for New York State Elementary Schools. This test uses the Degrees of Reading Power (DRP) methodology, which is also used in the Regents competency test.

DRP tests are designed to measure the most difficult prose text a student can read with comprehension. Students with scores below the State Reference Point have less than a seventy-percent likelihood of success in comprehending materials found in textbooks commonly used in grades 5 and 6.

The Preliminary Competency Test in Reading is given to eighth or ninth grade students who obtained scores below a specified point on the State's sixth-grade reading test or on a standardized reading test administered in grade 8 or 9. This test also uses the DRP methodology. Students with scores below the State Reference Point have less than a seventy-percent likelihood of success in comprehending materials found in textbooks commonly used in grades 8 and 9.

Writing

A screening test in writing—the Preliminary Competency Test in Writing—is administered in grade 8 or 9 to those students who are required to take the Preliminary Competency Test in Reading. The test follows the format of the Regents Competency Test in Writing, which is described on page 6.

Additional screening instruments are being prepared for use in the elementary grades.

Mathematics

Screening tests in mathematics are administered to all students at the beginning of grade 3 and at the beginning of grade 6. Both of the tests—the Mathematics Tests for New York State Elementary Schools, Form C—are standardized tests based on the elementary mathematics program recommended for New York State schools. Each test provides a total score and three part scores: concepts, computations, and problem solving. Spanish language editions are available.

At the current time, the recommended elementary mathematics program is being revised and updated. Consequently, new mathematics tests will be introduced when the new mathematics program is in use in the schools.

APPENDIX

Extracts from the Regulations of the Commissioner of Education

PART 100

REGISTRATION AND APPROVAL

(Statutory authority: Education Law, § 207)

Section 100.1 The curriculum. (a) An approved high school four-year course of study shall include the following units of work or their equivalent: English, 4 units; social studies, including a year of American history, 3 units; mathematics, 1 unit; science, 1 unit; health, ½ unit; and physical education. A guidance and counseling program shall be provided, including the services of personnel certified for guidance service. These subjects shall constitute the "constants" or required subjects and shall be offered in accordance with the State syllabuses.

(b) The value of sequential work shall be recognized. To this end the program of each pupil shall be so planned that his own interests and abilities may be challenged. Each pupil shall follow through a three-unit sequence in one of the following fields: science, mathematics, foreign language, music, visual arts, business subjects, home economics, and industrial arts or vocational subjects.

(c) The additional units necessary to complete the minimum 16-unit program in the four-year high school or the 12-unit program in the senior high school shall be free electives. The complete program offered in any particular school shall be determined in terms of the size of the school, the fundamental arts and interests of the community and the adolescent groups whose needs are to be served.

(d) The junior high school (or grades 7, 8 and 9 in the six-year secondary school) shall include in its curriculum English, social studies, science, mathematics, health education, visual arts, music and practical arts. There shall be a partial or complete departmental organization. The school shall give recognition to individual differences in capacities, tastes and abilities in the organization and technique of class work. There shall be a definite and effective plan of pupil guidance, including the services of personnel certified for guidance service.

(e) The course of study for the first eight years of full-time public day schools shall provide for instruction in at least the common school branches of music, visual arts, arithmetic, reading, spelling, writing, the English language, geography, United States history, civics, hygiene, physical training, the history of New York State and science.

(f) Pupils who score below the designated statewide reference point in the third-grade pupil evaluation test shall be provided appropriate remedial instruction designed to enable them to score above the statewide reference point on the sixth-grade pupil evaluation program test. Pupils who score below the designated statewide reference point on the sixth-grade pupil evaluation program test shall be provided appropriate remedial instruction designed to enable them to score above the statewide reference point on the preliminary competency tests and/or pass the Regents competency test in mathematics. The parent or guardian of a pupil who is to be provided remedial instruction shall be notified in writing, by the principal, of the pupil evaluation program test results and the plan for remedial instruction, which shall begin no later than the commencement of the school semester after which the test is given.

PART 103

DIPLOMAS AND CERTIFICATES

(Statutory authority: Education Law, § 207)

Section 103.1 College Entrance Examination Board and American College Testing Program scores may be used as a basis for Regents and local diplomas. Scores obtained in examinations of the College Entrance Examination Board and the American College Testing Program, as designated by the commissioner, may be accepted in part as a basis for a Regents diploma and, beginning June 1981, as a basis for the competency test requirements for a local diploma.

Section 103.2 High school diplomas. (a) *Local diploma.* In order to secure a local high school diploma, the following requirements must be met:

(1) The satisfactory completion of an approved four-year course of study of a minimum of 16 units or their equivalent as determined by the commissioner in a registered four-year or six-year secondary school, including English, social studies including American history, science, mathematics, health, physical education and such other special requirements as are required by statute and established by the Commissioner of Education.

(2) The demonstration of competency in the basic skills: (i) by passing the following examinations:

(*a*) effective June 1, 1979 through May 31, 1981, either the Basic Competency Test in Reading or the Regents Comprehensive Examination in English, and either the Basic Competency Test in Mathematics or a Regents examination in mathematics;

(*b*) effective June 1, 1980 through May 31, 1981, the examinations set forth in clause (*a*) of this subparagraph, and either the Basic Competency Test in Writing Skills or the Regents Comprehensive Examination in English;

(*c*) effective June 1, 1981, either the Regents Competency Test in Reading and the Regents Competency Test in Writing or the Regents Comprehensive Examination in English, and either the Regents Competency Test in Mathematics or a Regents examination in mathematics. Students scheduled to complete high school in June 1981 may meet the testing requirements for reading, writing and mathematics by having passed the Basic Competency Tests in these skills before February 1979; or

(ii) by demonstrating, in the judgement of the school principal, competence in academic skills comparable to that required by subparagraph (i) of this paragraph, through alternative testing techniques satisfactory to the Commissioner of Education, provided that the provisions of this subparagraph shall be limited to pupils with handicapping conditions and pupils whose native language is other than English who first enter, after grade eight, schools where the predominant language of instruction is English. For pupils who graduate after June 1979, each school district or nonpublic school shall report to the State Education Department, within 15 days after any diploma is conferred on the basis of this subparagraph, the name of the recipient of each diploma, the reason for the use of any alternative testing technique, and the nature and results of such alternative testing technique; or

(iii) by demonstrating competence in academic skills comparable to that required by subparagraph (i) of this paragraph, through alternative tests satisfactory to the Commissioner of Education. The provisions of this subparagraph shall be limited to pupils who have not passed the examinations set forth in subparagraph (i) of this paragraph because of extraordinary administrative circumstances not caused by the willful act of the pupil or of a teacher or administrator. Each school district or nonpublic school shall apply to the State Education Department for permission to use such alternative tests, stating the name of the pupil, the reason for the use of any alternative tests or evidence, and the nature and results of such alternative tests. The department shall promptly evaluate such information and advise the district or nonpublic school as to whether such permission is granted or denied.

(b) *Regents diploma.* In order to secure a Regents high school diploma, the following requirements must be met:

(1) The satisfactory completion of an approved four-year course of study or its equivalent in a registered four-year or six-year secondary school, including English, social studies including American history, science, mathematics, health, physical education and such other special requirements as are required by statute and established by the Commissioner of Education, except that a Regents diploma shall require the satisfactory completion of a total of 18 units in grades 9 through 12.

(2) The passing of Regents examinations in certain specified subjects with certification by the principal to the completion of the remainder of the 18 units, and the demonstration of competency in basic skills in accordance with the provisions of paragraph (2) of subdivision (a) of this section.

(c) *Remedial instruction.* (1) Regents preliminary competency tests in reading and writing shall be administered to pupils in grade 8 or 9, except those pupils who, in grade 6, obtained scores at or above the 1966 statewide median on the Pupil Evaluation Program tests, or at or above the nationwide median on nationally standardized basic skills tests administered in grade 8 or 9 in the respective basic skill areas. Pupils who score below the designated Statewide Reference Point on one or more of the preliminary competency tests shall be provided appropriate remedial instruction designed to enable them to pass the above-required Regents competency tests by the time they are otherwise qualified to graduate.

(2) Pupils in grade 9 or above who fail the Regents Competency Test in Mathematics shall be provided appropriate remedial instruction designed to enable them to pass the Regents Competency Test in Mathematics by the time they are otherwise qualified to graduate.

(3) Pupils who fail the Basic Competency Test in Reading, Writing or Mathematics shall be provided appropriate remedial instruction designed to enable them to pass the Basic Competency Tests by the time they are otherwise qualified to graduate.

(4) A pupil who shall be provided remedial instruction, and the parent or guardian of such pupil, shall be notified in writing, by the principal, of the test results and the plan for remedial instruction. Remedial instruction provided as a result of a pupil's performance on the preliminary competency tests administered in the spring semester of 1979 shall begin no later than the beginning of the fall semester of 1979. The remedial instruction provided as a result of a pupil's performance on the preliminary competency tests administered in the fall semester of 1979, and

thereafter, shall begin no later than the spring semester following the test administration. Such instruction provided as a result of a pupil's failure to pass the Basic Competency Tests or the Regents Competency Tests shall begin with the spring semester if such tests were administered in January, or no later than the following semester if such tests were administered in June or August.

103.5 Local certificate. A school district or the principal of a nonpublic school may award a certificate to a pupil who is identified as meeting all the criteria of section 200.2 (b)(2) of this Chapter and who completes an appropriate individualized education program. Each school district or principal of a nonpublic school shall report to the State Education Department, within 15 days after the June graduation, the total number and the names of the pupils awarded certificates by each high school in that school year. No other certificates shall be awarded, except for certificates recognizing achievement beyond the high school diploma.